

**Local Government Handbook**  
**Chapter 1 - Organization of Local Government**  
**Section 2 - Municipal Officials**  
(revised 09/16/03)

**Municipal Officials**

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## **Organization of Local Government - Municipal Officials**

### **Introduction**

The success of a municipal government depends a great deal on the quality and hard work of its officials and employees. “Municipal officials” according to Title 29 include members of boards and commissions, the borough assembly members, city council members, the mayor, municipal manager, clerk, attorney, and treasurer. Together, these officials establish the policies, manage the resources, and conduct the business of the local government.

These individuals work hard to benefit the community and its citizens. Hard work may not be enough. They must understand their responsibilities, how their positions relate to other municipal officials, and what is expected of them. This section provides information on these topics.

### **What Does a Municipal Government Do?**

#### **Legislative Responsibilities**

The members of a governing body (assembly or council), working together, establish the policy of the municipality. The borough assembly and the city council are the legislative bodies of municipal government and, in this role affect all functions of the local municipal government. Title 29 identifies the general legislative responsibilities of the governing body.

- The legislative power of a borough is vested in the assembly and the legislative power of a city is vested in the council [AS 29.20.050]. The exercise of legislative power requires that the governing body pass laws called ordinances.
- The governing body establishes the manner for the preparation and submission of the budget and capital program. After a public hearing, the governing body may approve the budget with or without amendments, and shall appropriate the money required for the approved budget [AS 29.35.100 (a)].
- The municipality may levy taxes through ordinances passed by the governing body [AS 29.45.010 - AS 29.45.710]. Some taxes are subject to voter approval.
- The governing body may authorize the municipality to incur debts [AS 29.47.010].
- The governing body may, through ordinance, exercise powers not otherwise prohibited by law [AS 29.35.200 - AS 29.35.260].

#### **Administrative Responsibilities**

These are the broad powers and responsibilities of a governing body. The governing body has additional authority with respect to administration, elections, meetings, the selection of the presiding officer, and, in some cases, the selection of the mayor.

For example, the governing body of a Municipality:

- Shall establish the regular meeting date, the rules of procedure, and the order of business for council meetings [AS 29.20.160].
- May establish a personnel system and classified service for municipal employees [AS 29.20.410].
- May initiate the process of adopting a manager plan of government [AS 29.20.460].
- Shall appoint a municipal manager if the manager form of government is adopted [AS 29.20.490].
- May establish municipal departments and distribute functions among them [AS 29.20.400].
- Shall appoint or confirm the chief administrator's (mayor or manager) appointments of the municipal clerk, attorney, treasurer, and police chief [AS 29.20.360].
- Shall provide a method of determining the salaries of elected officials [AS 29.20.620].
- Shall prescribe the rules for municipal elections, voter qualifications, runoff elections requirements, and procedures for contesting and appealing elections [AS 29.26.010].
- Shall certify the election results [AS 29.26.070].

This is not a complete list of administrative duties. This list of responsibilities indicates the range of involvement of the governing body in municipal affairs. In addition to the powers and duties listed above, Title 29 provides additional duties and responsibilities.

The "Organization of Municipal Government" section of the Department's Local Government On-Line (LOGON) website also provides a comprehensive listing of powers and duties of a municipal government.

### **The Council, Assembly, and Other Municipal Officials**

The borough assembly or city council are the policy making body for the municipality. The council and assembly depend upon the mayor and other municipal officials to implement municipal policies and run the day-to-day business of the municipality. The relationship between the governing body (council or assembly) and the administrative staff determines the effectiveness of the governing body as well as the efficiency of municipal operations.

Each member of the governing body should encourage a good working relationship among other members, the mayor, and other municipal officials. To do this, a member should:

- Be careful not to go beyond the member's authority and avoid making decisions about administration that properly belong to the mayor or manager.
- Listen carefully to staff presentations to the governing body and don't ignore advice from staff and other municipal officials.

- Put aside any personal dislike for other members of the administration and work together to accomplish municipal business.
- Avoid presenting personal feelings on an issue as statements of municipal policy.
- Encourage the governing body to deal with rather than avoid issues that involve making difficult or unpopular decisions.
- Accept the responsibility for the actions and policies adopted by the governing body and do not blame other members or the administration.

### **Consideration of Issues**

The local governing body deals with many difficult issues. A council or assembly member is responsible for committing the time and effort needed to understand the municipality's problems and work out solutions. Council and assembly members should study the meeting agendas, research questions in advance of the meetings, and informally talk with members of the public about municipal issues. The council or assembly members should also communicate with the administration, get training on important issues, and keep abreast of what their community and other communities are doing.

### **Communications with the Public**

Members of the governing body should establish and maintain a good relationship with the public. Elected officials have the responsibility of listening to citizens' views, concerns, complaints, and suggestions. This responsibility extends beyond listening to public comment at meetings and may involve time spent at public hearings, attending meetings of community organizations, meeting informally with citizens, and keeping an "open door" to citizens.

Besides listening to the public, elected officials may be invited to speak to community organizations. These are opportunities to further inform the community on municipal programs, policies, and planned actions.

### **Meetings of the Governing Body**

The basic business of a municipality is conducted in regularly scheduled meetings, which are open to the public. Meetings are of such importance that Title 29 of Alaska Statutes states:

- A governing body shall hold at least one regular meeting each month unless otherwise provided by ordinance [AS 29.20.160 (b)].
- The governing body, unless otherwise provided by ordinance, shall declare a seat vacant if the elected member misses three consecutive meetings and is not excused [AS 29.20.170 (9)].
- Each member present at a meeting shall vote on every question (motion), unless required to abstain from voting. [AS 29.20.160 (d)].

Elected officials become informed at meetings on the issues that the local government faces. They suggest, analyze, debate, and decide on what actions to take to handle

problems and benefit from opportunities. To ensure that meetings are conducted efficiently and productively, members become familiar with and follow the rules of procedures adopted for their meetings. Members of the governing body should prepare in advance for meetings and request further information from the administration whenever they don't clearly understand the issues.

## **What Does the Mayor Do?**

### **Executive Responsibilities**

The executive power of a municipality is vested in a mayor [AS 29.20.220]. The mayor also assumes the responsibilities of chief administrator in municipalities without a manager form of government.

The duties of a mayor are many. The mayor of a second class city performs not only the duties of a mayor, but those of a council member as well. Executive duties of a mayor can include presiding at meetings, making appointments of municipal personnel and committees, and performing ceremonial duties.

### **Presiding at Meetings**

The Assembly of a borough elects its presiding officer from the Assembly members. In a borough that has a manager form of government or a city the mayor serves as the presiding officer of meetings of the governing body [AS 29.20.160]. The formal business of a municipality is conducted at regularly scheduled meetings and the presiding officer, has the responsibility of maintaining an orderly session. The presiding officer should become familiar with the proper procedures for conducting a meeting and ensure that these procedures are followed.

Each municipality establishes its rules of procedure for conducting meetings. The rules do not have to be complicated, but they should be based on accepted parliamentary procedure. "Roberts Rules of Order, Revised" is often used. The presiding officer must be familiar with whatever rules are adopted by the governing body in order to guide the meetings effectively.

The presiding officer at a meeting encourages full discussion of issues but tries to conduct the meeting in a timely and orderly fashion. Discussion should stay on the issue that is before the governing body and not stray into other areas. The presiding officer does not permit debates to become quarrels.

The public should be provided time to express opinions to the governing body. The presiding officer ensures that time is set aside for public comment and that the public is given a chance to talk. This opportunity for the public to speak should not be allowed to take up all the meeting time. It may be necessary to limit public comment to a specific number of minutes per speaker.

## **Appointment of Municipal Officials**

As chief administrative officer, the mayor or manager appoints most municipal officials. Unless there is an ordinance stating otherwise, the municipal clerk, attorney, treasurer, police chief, as well as other municipal employees are appointed by the mayor if the municipality has not adopted the manager form of government [AS 29.20.360]. The assembly or city council may pass an ordinance to assume the power to appoint any of these officials. Otherwise, the governing body confirms the chief administrator's appointment of the clerk, attorney, treasurer, and police chief.

The mayor may appoint to advisory committees, which are established to study issues that otherwise would require a lot of time or specialized knowledge. Advisory committees have no power to make laws or take action on behalf of the municipality but only report facts and make recommendations to the governing body. The governing body considers the findings and recommendations of the advisory committee but is not bound to follow them. Following are some hints for making appointments:

- All appointments should be made on merit. Only qualified persons should be considered.
- When appointing members to an advisory board or commission, consider those who are interested in the purpose of the board or commission.
- Those appointed to boards and commissions should represent a cross-section of views.

## **Administrative Responsibilities**

If the municipality has not adopted the manager form of government, the mayor serves as the chief executive officer and is responsible for running the business of the municipality. If the mayor appoints an administrator to perform duties on the mayor's behalf, the administrator works for the mayor and has only those powers the mayor delegates to the administrator. Under the manager form of government, the manager is the chief administrator of a municipality.

The governing body has a duty to check on the mayor's performance and should expect a certain level of competence in his administration of municipal affairs. Also, the governing body must provide adequate budget, personnel, administrative freedom, and clear guidelines to enable the chief administrator to perform these duties effectively.

## **Public Relations Duties**

A mayor should work to establish and maintain a good relationship with the governing body, the administration, and the general public. As chief executive and ceremonial head of the municipality, the mayor represents the municipality and its citizens on many public occasions. Whether meeting with citizens to explain an action of the municipality or making presentations before a meeting of fellow mayors, the mayor's statements and activities reflect upon the municipal government and the municipality as a whole.

## **Relationship of the Mayor and the Governing Body**

A mayor must work well with the other elected officials of the municipality to be effective. If the council or assembly is constantly at odds with the mayor, it can be difficult to make progress on the goals and responsibilities of the municipality. Developing a good working relationship requires that the mayor and the other elected officials respect each other's roles and responsibilities. It does not require that they agree on issues or even that they be friends. They must, however, work together to operate the municipality efficiently. In establishing a good working relationship with other elected officials, the mayor:

- Does not go beyond his legal authority or attempt to make decisions that properly belong to the entire governing body.
- Asks other members of the governing body to discuss with him at any time their ideas about improving local government.
- Avoids bringing up disagreements with any other member in ways that may embarrass the other member.
- Asks for advice on matters that are related to responsibilities of the governing body.
- Accepts the responsibility of leadership and avoids blaming the governing body or particular members for problems.
- Keeps the governing body informed about municipal activities that they are interested in or may be questioned about by the public.
- Remains objective on the issues, puts aside any personal prejudice, and works to accomplish municipal business effectively.

For a complete listing of the statutory powers of a mayor under Title 29, see the LOGON Chapter on Organization of Municipal Government. Following is a partial listing of the powers and duties of a mayor.

## **Statutory Power of Mayor (no manager)**

### **Executive Powers**

- Acts as ceremonial head of the municipality
- Executes official documents
- Presides at council meetings (in a borough that has adopted a manager form of government and in a city)
- Promotes orderly discussion of issues and ensures equal opportunity to be heard
- Leads the governing body to resolution through orderly process
- Rules on requests by members to be excused from a vote
- Votes on all matters (if mayor of a second class city)
- Votes in the case of a tie (if mayor of a first class city or the mayor of a borough with a manager form of government)
- Performs other duties prescribed by the governing body

### **Administrative Powers**

- Appoints, suspends or removes employees and officials
- Supervises law enforcement & carries out the directives of the governing body
- Prepares & submits budget & capital improvement program and executes both
- Makes monthly financial reports, and operational & annual reports
- Performs other duties required by law or the governing body

### **Statutory Power of Mayor (with municipal manager)**

#### **Executive Powers**

- Acts as ceremonial head of the municipality
- Executes official documents
- Presides at council meetings
- Promotes orderly discussion of issues and ensures equal opportunity to be heard
- Leads the governing body to resolution through orderly process
- Rules on requests by members to be excused from a vote
- Votes on all matters (if mayor of second class city)
- Votes in the case of a tie (if mayor of a first class city or the mayor of a borough with a manager form of government)
- Performs other duties prescribed by the governing body

### **The Mayor and the Administrative Staff**

Dealings between the administration and a mayor are constant. In establishing good relations with the administration, the mayor:

- Meets informally with key personnel to discuss programs and issues.
- Asks the person responsible for a given area of administration for advice on a subject before referring it to the governing body or a citizen's committee. The mayor and the council or assembly need facts. The department head or supervisor will appreciate that his advice was asked for.
- Makes no major policy decision without first discussing the decision with the person who is administratively responsible for carrying it out.
- Does not give orders to employees except through their supervisors or department heads. Bypassing the chain of command causes confusion and sets a poor example.
- Does not ignore complaints of employees but makes sure that proper channels are followed and that the appropriate supervisors are involved.
- Gets the facts and consults with the appropriate supervisors before acting on a citizen's complaint about the administration.

### **The Mayor and the Public**

The citizens of a community elect public officials and they can vote them out of office. The mayor respects the public's trust and tries not to arouse suspicion or anger, even though you can't avoid making the public unhappy at times. When this happens, the



mayor ensures that the people who are angry or distrustful have the same access to government and services as any other citizen. The mayor:

- Listens when citizens have complaints about policies or activities of the municipality and, after investigating the facts, responds to any complaint.
- Involves citizens in the governmental process through advisory committees, public meetings, and volunteer groups.
- Posts copies of meeting minutes and makes periodic public reports on municipal activities.
- Solicits public views on needs, policies, and programs.
- Informs the public of the financial condition of the municipality, whether good or bad, through monthly financial reports submitted to the governing body.
- Meets informally with citizens to explain municipal policies and problems.
- Attends and speaks at public or civic club gatherings and to interested groups to improve the understanding between the municipality and the public.

### **What Does the Municipal Clerk Do?**

The municipal clerk works closely with the mayor, the governing body, the manager, and the public by providing support services to all of these entities and ensuring that the clerk's duties spelled out in Title 29 are performed. The municipal clerk is perhaps the municipal official who is most visible to the public.

### **Legal Duties**

AS 29.20.380 identifies specific duties for the municipal clerk. Under this statute the clerk shall:

(1) Attend meetings of the governing body and its boards and committees as required and keep the journal. Title 29 requires that a municipality keep a journal of meetings of the governing body that shall be a public record.

(2) Have custody of the official municipal seal. The municipal clerk signs and affixes the municipal seal to all ordinances and resolutions adopted by the governing body and all other documents as required by law or local custom.

(3) Assure that notice and other requirements for public meetings are complied with and assure that public records are available for public inspection as required by law.

(4) Manage municipal records and develop retention schedules and procedures for inventory, storage, and destruction of records as necessary. (The "Alaska Local Government General Records Retention Schedule" provides guidelines for local governments to use for records retention. The municipal clerk assures records are filed in an orderly manner and are available for public inspection upon request. (The only exceptions are records that are required by law to be confidential, such as certain personnel records.) Municipal records a municipal clerk is responsible for may include: tax records, contracts, ordinances, resolutions, assessment rolls and meeting minutes.

- (5) Maintain an indexed file of all permanent municipal records, provide for codification of ordinances, and authenticate or certify records as necessary. The municipal clerk may also provide and certify copies of records that are requested by the public. The certification is evidence that the copy is a true copy of the original.)
- (6) Prepare agendas and agenda packets as required by the governing body.
- (7) Administer all municipal elections.
- (8) Assure that the municipality complies with 42 U.S.C. 1971-1974 (Voting Rights Act of 1965, as amended). The Voting Rights Act requirement helps to assure that no feature of the election process is discriminatory.
- (9) Take oaths, affirmations, and acknowledgements as necessary.
- (10) Act as the parliamentary advisor to the governing body.
- (11) Perform other duties required by law, the governing body, or the chief administrator.

(b) The governing body may combine the office of clerk with that of treasurer. If the offices are combined, the clerk-treasurer shall, as required of the treasurer, give bond to the municipality for the faithful performance of the duties as clerk-treasurer.

### **Other Administrative Duties of the Municipal Clerk**

Depending on the requirements and customs found in individual local governments, the municipal clerk may also perform any number of additional duties. A municipal clerk typically receives documents addressed to the municipality, prepares meeting agendas, issues permits, collects fees and municipal taxes, answers citizen inquiries, and provides information to the public. The municipal clerk and treasurer positions are frequently combined in small municipal governments.

### **Working with the Chief Administrative Officer**

The municipal clerk regularly performs administrative duties and assignments, so the clerk strives to maintain a good working relationship with the chief administrator, whether it is the mayor or manager. For example, a clerk communicates frequently with the administrator on a routine basis, works with the chief administrator instead of bypassing him, tries to understand the administrator's goals and helps the administrator meet them, and avoids public disagreements with the chief administrator.

The Municipal Clerk regularly performs many tasks that the mayor and governing body depends on.

## **Working with the Governing Body**

The municipal clerk works closely with the governing body. The clerk attends regular and special meetings and performs a number of duties for the governing body including calling the roll, recording the vote on items of business, reading reports and letters addressed to the municipality, restating motions to ensure correct minutes, and other assigned tasks.

In working with the governing body, a municipal clerk:

- Is prompt in providing any information requested from municipal files.
- Keeps an exact account of roll call votes, making sure the minutes accurately record the actions of the governing body.
- Sends out agendas to all members of the governing body early enough that members may review them before meetings.
- Arrives at meetings early to ensure that all materials, supplies, records, and other items needed to conduct the meeting are available.
- Puts motions, resolutions, or ordinances in writing upon the request of the mayor or governing body.

## **Working with the Public**

In addition to all the other duties, the municipal clerk also works closely with the general public. The municipal clerk's office has traditionally been a public service department; it is usually the first office contacted when a citizen has a question or a complaint. Before responding to a citizen's question or complaint, the clerk should understand the facts and circumstances. If necessary, the clerk should ask others in the administration for information or advice in order to provide the citizen with correct information.

## **What Does the Municipal Manager Do?**

The manager form of government was found primarily in larger cities until a few years ago. More recently, smaller cities also have adopted the manager form of government. Whether or not the manager form of government is best for a municipality depends on many things, including: the number and level of municipal services provided, the tax base, the complexities of the municipal government, and the number of municipal departments.

A municipal manager provides full time professional management of municipal affairs that is not always possible when relying on a mayor to make all the administrative decisions. Municipal managers are usually the highest paid municipal employee, and some municipalities cannot support the position. Some share the cost of a municipal manager with neighboring communities to reduce the high costs while still receiving professional management services.

A city or borough may adopt a manager plan of government by following the procedures

outlined in Title 29 [AS 29.20.460 – AS 29.20.490]. The process involves presenting the question of whether to adopt a manager plan to the voters. The borough assembly or city council appoints a manager after the voters approve the manager form of government.

A municipal manager should have many skills, including administrative, financial, and project management skills.

### **Municipal Manager Form of Government**

The manager serves under the direction of the mayor and governing body as the chief administrative officer. The manager is appointed by the governing body and serves at the pleasure of the governing body. The manager is responsible for administration of municipal government and is authorized to appoint, suspend, or remove municipal employees and administrative officials, unless otherwise provided by ordinance. The manager may also be responsible for appointing the municipal clerk.

### **Duties of the Municipal Manager in Statute (AS 29.20.500)**

- Hire necessary administrative assistants.
- Appoint, suspend or remove municipal employees and administrative officials, except as provided in state law AS 14.14.065 (with respect to school boards and school districts) or local ordinance.
- Supervise the enforcement of municipal law and carry out the directives of the governing body.
- Prepare and submit an annual budget and capital improvement program for consideration by the governing body and execute the budget and capital improvement program adopted.
- Make monthly financial reports and other reports on municipal finances and operations as required by the governing body.
- Assume custody over all real and personal property of the municipality, except property of the school district.
- Serve as personnel officer, unless the governing body authorizes the appointment of a personnel officer.
- Perform other duties required by law or by the governing body.

### **Additional Responsibilities that may be Assigned by the Governing Body**

- Provide direction for the construction, maintenance, and operation of municipal public works projects.
- Serve as director of civil defense and emergency preparedness.
- Attend and participate in meetings of the governing body.
- Acquire, manage, and dispose of real property according to ordinance.
- Provide for municipal programs, such as risk management, building maintenance, data processing, public information efforts, community development, and other services not specifically assigned to a department.

## **Repeal of the Manager Plan**

The same procedures used for the adoption are followed to repeal the manager plan. Within 60 days after certification of the election approving repeal of the manager plan, the governing body enacts provisions for reorganization of the municipal executive and administrative functions. [AS 29.20.520]

## **Administrative Leadership and Management**

Under the manager form of government, the manager performs all of the administrative duties previously presented in the discussion of the mayor's administrative duties. (As chief administrative officer, the manager not only implements the directives of the governing body, he or she may also be relied upon to assume leadership without a specific directive from the governing body. To do so, the manager must, in those cases when no specific directives are given, understand the unspoken intent of the governing body and take necessary actions on his own initiative.) In these situations, the manager keeps the governing body well informed on what he is doing. The municipal manager's administrative and management duties involve a detailed knowledge of:

- The ways and means of establishing good relationships with department heads, the governing body, and the mayor.
- The municipal personnel structure.
- The condition of municipal finances.
- The priorities and policies of the governing body.
- The conditions and efficiency of each municipal department.
- Projects and grant programs in progress.
- The condition of municipal files and records.
- The municipal code of ordinances.

## **Financial Management**

A municipality's financial resources are limited. Providing needed services using limited funds requires a thoughtful budget process. Once the budget is adopted, the municipal manager is required to operate within its framework. A municipal manager works closely with the governing body to adopt a budget, which will use available funds for the best purpose.

## **Project and Grant Management**

Receiving approval and funding for a project or grant is only the first step in a successful program. Managing the program to successful completion is the main objective. The manager monitors grant programs carefully. He may appoint someone to take charge of carrying out the program, but the manager must know what is going on and be responsible.

### **What Does the Municipal Treasurer Do?**

The municipal treasurer is custodian of all municipal funds and is responsible for maintenance of all municipal accounts. The treasurer ensures that money is spent only for authorized items or services, ensures accurate financial records, and ensures that all financial records are properly filed and stored in a safe place. The treasurer assists the mayor or manager to prepare annual budgets, monthly financial reports, and other reports on the financial condition of the municipality. AS 29.20.380(b) allows the governing body to combine the office of municipal clerk and treasurer. The municipal treasurer serves under the direction of and is appointed by the chief administrative officer with approval of the governing body, unless otherwise provided by ordinance.

### **Duties of the Municipal Treasurer Designated in State Law are**

- Be custodian of all municipal funds.
- Keep an itemized account of money received and disbursed.
- Pay vouchers drawn against municipal appropriations authorized in the municipal budget.
- Give bond to the municipality in the amount established by the governing body. AS 29.20.610 states that bond premiums are paid by the municipality.

### **Additional Responsibilities that may be Assigned**

- Assist the chief administrative officer in compiling the annual budget.
- Prepare and submit to the chief administrative officer such financial reports and other data as may be required.
- Prescribe and control procedures necessary to protect municipal funds and property.
- Perform other duties as the chief administrative officer or governing body may require.

### **What Does the Municipal Attorney Do?**

Most small local governments do not have a full time municipal attorney, but hire attorneys as needed on a case-by case basis. Larger communities with more complex issues may save money by having a municipal attorney on retainer.

The municipal attorney oversees all matters dealing with complex legal issues. Any municipal matter that involves legal issues that are beyond the ability of local officials to handle may be referred to the municipal attorney by the local governing body. The cost of professional legal advice may exceed its benefit to the municipality on issues of minor importance. Situations that may require the services of an attorney include contracts, leases, complicated ordinances, bonding, civil and criminal suits, and the wording of ballot propositions.

The municipal attorney serves as the legal advisor for the governing body, boards and commissions, and other municipal officials. The municipal attorney represents the municipality as attorney in civil and criminal proceedings. The school board may hire independent counsel when in its judgment independent counsel is needed. The municipal attorney is appointed by and at the pleasure of the chief administrative officer with approval of the governing body, unless otherwise provided by ordinance.

### **Representative Duties of the Municipal Attorney Designated in State Law**

- Serve as legal advisor to the municipality.
- Represent the municipality as attorney in civil and criminal proceedings.
- Maintain a proper attorney-client relationship with the municipality.

### **Additional Responsibilities that may be Assigned**

- Arrange for the prosecution of violations of municipal ordinances upon request by the municipality.
- Draft any ordinance when required by the chief administrative officer or governing body.
- Attend meetings of the governing body upon request.
- Call to the attention of the governing body and the chief administrative officer all matters of law affecting the municipality.
- Render all opinions in writing, as far as is practical.
- Maintain legal files and records, including opinions, and turn such records over to successors to the office of municipal attorney.

### **What are the Ethical Responsibilities of Municipal Officials?**

Alaska Statutes define some ethical responsibilities, principally, AS 29.20.010. This statute requires each municipality to adopt a “conflict of interest ordinance.” The ordinance must require a member of the governing body to declare any substantial financial interest in a matter and ask to be excused from the vote. The local ordinance must also require that the presiding officer rule on the request to be excused from the vote. The presiding officer’s decision may be overridden by a majority vote of the governing body. In addition, this section of Title 29 requires that municipal employees and officials, other than members of the governing body, not participate in municipal actions in which they have a substantial financial interest.

In addition to the conflict of interest provisions of Title 29, Title 39 provides that all candidates for an elected municipal office must file a Public Official Financial Disclosure Statement (formerly conflict of interest statement) with the Alaska Public Offices Commission unless an election was held on the question and voters exempted the municipality from this requirement.

Public officials must not act outside the law or beyond their authority. They are generally expected to act impartially, without favoritism, and in the best interests of the

community. Some basic guidelines concerning ethical conduct are:

- Avoid the use of public property for personal use, unless permitted by rule, regulation or ordinance.
- Do not give special treatment to any citizen, that is not provided for all other citizens under the same circumstances.
- Avoid talking about confidential information received during the performance of official duty.
- Do not accept gifts from people seeking to influence a vote or municipal action on any matters involving official duty.
- Do not promise anyone an appointment or job as a reward for any activity favorable to a municipal official.
- Do not vote on ordinances or municipal actions involving a personal interest without publicly announcing the interest and following conflict of interest provisions of state and local laws.
- Avoid taking official action without providing an opportunity for those with opposing views to be heard.



